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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MARK MORRIS, an individual ,

CASE NO. 2:20-cv-00764-JCM-EJY

Plaintiffs,

vs.

GEICO INSURANCE AGENCY, INC d/b/a
GEICO CASUALTY COMPANY, a Foreign
Corporation; DOE EMPLOYEES I-V and ROE
COMPANIES I-V,

Defendants.

**STIPULATION AND ORDER TO EXTEND
THE DEADLINES OF REMAINING
DISCOVERY, DISPOSITIVE MOTIONS
AND PRE-TRIAL ORDER**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, MARK MORRIS by and through their counsel of record Melinda Weaver, Esq., of the VAN LAW FIRM, and Defendant, GEICO INSURANCE AGENCY, INC d/b/a GEICO CASUALTY COMPANY, by and through their counsel of record, Thomas E. Winner, Esq., and Lara L. Miller, Esq. of the WINNER & SHERROD, that discovery deadlines be continued as set forth herein.

The remaining discovery deadline is as follows:

Close of Discovery: March 1, 2021

1. Statement Specifying the Discovery Completed:

The Parties have engaged in diligent discovery in this matter. To date, the following discovery has been completed:

- Plaintiff made his initial FRCP 26 (a) disclosure.

- Defendant made its initial FRCP 26 (a) disclosure.
- Defendant has supplemented its FRCP 26(a) disclosure multiple times.
- Defendant served Plaintiff with an initial set of written discovery.
- Defendant has served multiple subpoenas to the custodians of records.
- Plaintiff has responded to the initial set of written discovery served by Defendant.
- Plaintiff served Defendant with an initial set of written discovery to Defendant.
- Deposition of Plaintiff has been taken.
- Deposition of one of Plaintiff's treating physicians has been taken.

2. That Specific Description of Discovery that Remains to be Completed:

- Defendant will respond to Plaintiff's initial set of written discovery
- Deposition of Defendant Representative
- Additional written discovery
- Depositions of expert witnesses as deemed necessary by the parties.

3. The Reasons Why Discovery Remaining Was Not Completed Within the Time Limits Set by the Discovery Order:

The Parties have been working diligently during discovery, disclosing documents, and responding to written discovery. However, the parameters of the case are still unclear. On September 1, 2020, Defendants filed Defendant Geico Insurance Agency, Inc., dba Geico Casualty Company's Amended Motion for Partial Summary Judgment Or, in the Alternative, Motion to Bifurcate Plaintiff's Extra Contractual Causes of Action [Dkt. 19]. The Motion was fully briefed by the parties. However, likely because of the global pandemic and accompanying difficulties, the Motion has not been set for hearing or decided. Because that Motion dramatically affects the scope of discovery, the parties agreed to seek Court approval for a 90-day extension of the discovery cut-off in this case.

Further, given the continuing issues presented by the global pandemic, an extension of discovery will be unlikely to affect trial scheduling or otherwise prejudice the parties or the Court. For those reasons, the parties respectfully request a 90-day extension of the discovery cut-off in this case.

4. Current Discovery Schedule:

Close of Discovery: March 1, 2021

5. **Proposed Schedule for Completing All Remaining Discovery:**

Close of Discovery: May 31, 2021

6. **The Current Dispositive Motion and Pre-trial Motion Deadline:**

Dispositive Motion: Thirty (30) days after the close of discovery or March 31, 2021

Pre – trial Order: April 30, 2021

7. **Proposed Schedule for Dispositive Motion and Pre-trial Motion:**

Dispositive Motion: June 30, 2021

Pre – trial Order: July 30, 2021¹

Dated this 2nd day of February, 2021

Dated this 2nd day of February, 2021

/s/ Melinda Weaver

/s/Lara L. Miller

MELINDA WEAVER, ESQ.

THOMAS E. WINNER, ESQ.

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Company*

¹ As detailed in the Stipulated Discovery Plan and Scheduling Order filed with the Court on July 23, 2020, this deadline will be suspended if dispositive motions are timely filed until thirty (30) days after the decision of the dispositive motions or until further order of the Court. Additionally, the parties agreed that even though L.R. 26-1(6) requires that pre-trial disclosures, pursuant to Fed. R. Civ. P. 26(a)(3), and any objections thereto shall be included in the Pre-Trial Order, the parties wish to deviate from that rule to permit a reasonable opportunity to evaluate a party's pre-trial disclosures and make well-reasoned objections thereto. The parties do not feel they can adequately do so under the modified schedule of L.R. 26-1(6). Therefore, the parties propose following the schedule in Fed. R. Civ. P. 26(a)(3)(B) which requires the parties make pre-trial disclosures not later than thirty (30) days before trial and submit any objections thereto not later than fourteen (14) days before trial.

ORDER

Upon Stipulation by counsel for the parties, and good cause appearing therefore,

IT IS HEREBY ORDERED that the discovery deadlines be extended as follows:

EVENT

DEADLINE

Close of Discovery:

May 31, 2021

Dispositive Motions:

June 30, 2021

Pre-trial Order:

July 30, 2021

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

Dated: February 3, 2021

Respectfully Submitted By:

VAN LAW FIRM

/s/ Melinda Weaver

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